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8 UNITED STATES DISTRICT COURT
9 SOUTHERN DISTRICT OF CALIFORNIA
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11	ROBERT A. DANFORD, <i>et al.</i> ,)	Civil No. 07-CV-712-L(NLS)
12	Plaintiffs,)	
13	v.)	ORDER DENYING AS MOOT
14	MANA INTERNET SOLUTIONS, S.A.,)	DEFENDANTS' MOTION TO
15	<i>et al.</i> ,)	DISMISS [doc. #4]
16	Defendants.)	

17 Defendants filed a motion to dismiss for lack of jurisdiction in the above-captioned case
18 on April 30, 2007 [doc. #4] which is set for hearing on June 11, 2007. On May 24, 2007,
19 plaintiffs filed a first amended class-action complaint. An amended complaint supersedes a prior
20 complaint as a pleading. *Forsyth v. Humana, Inc.*, 114 F.3d 1467, 1474 (9th Cir. 1997); *Hal*
21 *Roach Studios, Inc. v. Richard Feiner & Co.*, 896 F.2d 1542, 1546 (9th Cir. 1990). Where a
22 plaintiff elects to file an amended complaint, a district court may treat an existing motion to
23 dismiss as moot.

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1 Based on the foregoing, **IT IS ORDERED** denying as moot defendants' motion to
2 dismiss [doc. #4]. **IT IS FURTHER ORDERED** that this Order is without prejudice to
3 defendants moving to dismiss plaintiffs' First Amended Complaint.

4 **IT IS SO ORDERED.**

5 DATED: May 25, 2007

6 
7 M. James Lorenz
United States District Court Judge

8 COPY TO:

9 HON. NITA L. STORMES
10 UNITED STATES MAGISTRATE JUDGE

11 ALL PARTIES/COUNSEL
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